

RULE REGARDING NEBRASKA JURY INSTRUCTIONS

(a) Nebraska Jury Instructions, Second Edition (NJI 2d), is designed for use when the instruction correctly states the law and the pleadings and evidence call for such an instruction. Where applicable, a trial judge may utilize an appropriate NJI instruction.

(b) The trial court may and ordinarily should hold a conference before or during the trial with reference to the preparation of proposed instructions. The trial court may direct counsel for either party to prepare designated instructions. Counsel may object at the conference on instructions to any instruction regardless of who prepared it. At the conference on instructions, each counsel should aid the trial court by stating any specific objection that he or she has on any instruction proposed to be given.

The rule of practice adopted by this court on November 20, 1968, requiring use of the Nebraska Jury Instructions is hereby rescinded.

COMMENT

Nebraska Jury Instructions, Second Edition (NJI2d) (1999), is available through West Group, 620 Opperman Dr., Eagan, MN 55123, or the West Group order line (800)328-9352.